

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SUPERNUS PHARMACEUTICALS, INC.,

Plaintiff,

v.

ASCENT PHARMACEUTICALS, INC.,

Defendant.

Civil Action No. 23-4015 (GC)(DEA)

(Filed Electronically)

SCEDULING ORDER

THIS MATTER, having come before the Court by way of an Initial Scheduling Conference on November 13, 2023, and all Counsel having consented to this Order, and for good cause shown,

IT IS on this 21st day of November, 2023,

ORDERED that this case shall proceed on the following schedule:

Event	Proposed Deadline
Supernus's Disclosure of Asserted Claims	Nov. 20, 2023
Parties' Rule 26(a)(1) Disclosures Due	Nov. 20, 2023
Parties Submit Proposed Joint Discovery Confidentiality Order to Court	Entered on Nov. 14, 2023 (ECF No. 26)
Parties Submit Proposed Joint E-Discovery Plan	Entered on Nov. 15, 2023 (ECF No. 28)
Ascent's Disclosure of Invalidity Contentions and Production of Documents Required under L. Pat. R. 3.4(b) and (c)	Dec. 13, 2023
Ascent's Disclosure of Non-Infringement Contentions and Production of Documents Required under L. Pat. R. 3.6(f)	Dec. 13, 2023

Event	Proposed Deadline
Settlement Conference <i>in person with trial counsel and authorized client representatives</i>	Jan. <u>10</u> , 2024 at <u>10:00</u> AM/PM
Supernus's Disclosure of Infringement Contentions and Production of Documents Required under L. Pat. R. 3.6(h)	Jan. 29, 2024
Supernus's Responses to Invalidity Contentions	Jan. 29, 2024
Parties Exchange Proposed Claim Terms for Construction	Feb. 12, 2024
Parties Meet and Confer about Claim Terms for Construction	By Mar. 1, 2024
Deadline to Amend Pleadings	Apr. 5, 2024
Parties Exchange Preliminary Claim Constructors and Evidence	Mar. 4, 2024
Parties Exchange Responding Claim Construction Evidence	Mar. 18, 2024
Parties Meet and Confer to Narrow Issues and Prepare Joint Claim Construction and Prehearing Statement	By Mar. 27, 2024
Joint Claim Construction and Prehearing Statement Due	Apr. 3, 2024
Completion of Claim Construction Fact Discovery	May 3, 2024
Opening <i>Markman</i> Briefs	May 20, 2024
<i>Markman</i> Expert Discovery Closes	June 20, 2024
Responsive <i>Markman</i> Briefs	July 19, 2024
Parties Propose Schedule for <i>Markman</i> Hearing	Aug. 2, 2024
<i>Markman</i> Hearing	To be set by the Court
Date for Substantial Completion of Document Production	Nov. 1, 2024
Close of Fact Discovery	Jan. 13, 2025
Opening Expert Reports	Feb. 13, 2025
Rebuttal Expert Reports	Apr. 10, 2025

Event	Proposed Deadline
Reply Expert Reports	May 8, 2025
Close of Expert Discovery	June 5, 2025
Submission of proposed Final Pretrial Order	July 18, 2025
Final Pretrial Conference	July 2025
Trial	July/Aug. 2025
Expiration of 30-month stay	Dec. 16, 2025

SO ORDERED:


Honorable Douglas E. Arpert, U.S.M.J.